

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 04-40113-FDS

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DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ELIZABETH R. STEFFENBERG,	)	(Christine S. Collins BBO #639293)
	)	(Sara Discepolo BBO #628721)
Plaintiff,	)	
	)	
v.	)	
	)	
T. GENE GILMAN, STEVEN GILMAN,	)	
THE GILMAN INSURANCE	)	
AGENCY, INC., DAVID M. SCOLL,	)	
ARBOR SECURITIES, LTD.,	)	
ALLIANCE INVESTMENT	)	
MANAGEMENT, COMMONWEALTH	)	
FINANCIAL HOLDINGS INC.,	)	
FINANCIAL LINKS, INC.,	)	
T. GILMAN & CO., LTD.,	)	
AVIVA USA CORPORATION,	)	
TRADETEK, LTD., and	)	
TRADETEK, LLC,	)	
	)	
Defendants.	)	

**JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1**

Pursuant and subject to the provisions of Rule 16.1 of the Local Rules of the United States District Court for the District of Massachusetts, counsel for Plaintiff, Elizabeth R. Steffenberg, and Defendant, David M. Scoll have conferred concerning an agenda of matters to be discussed at the Scheduling Conference and a proposed pretrial schedule for the case, and hereby submit the following Joint Statement.

**1. Proposed Agenda**

The parties suggest that an appropriate agenda for the Scheduling Conference includes setting a pretrial schedule and discussing potential ADR options.

2. **Pending Motions**

Plaintiff's Motion to Compel Production of Documents by Defendant, David M. Scoll.

3. **Proposed Pretrial Schedule:**

The parties have agreed on all dates for the following pretrial schedule:

- a. Joinder of additional parties and shall be completed by November 30, 2004.
- b. Supplemental or amended pleadings shall be filed on or before November 30, 2004.
- c. Written discovery (interrogatories, requests for production of documents) shall be completed on or before ninety (90) days from the date of this Court's order on Plaintiff's pending Motion to Compel.
- d. Non-expert depositions shall be completed on or before one hundred twenty (120) days from the date written discovery is completed.
- e. Parties' expert witnesses shall be designated on or before thirty (30) days from the date non-expert depositions shall be completed.
- f. Rule 26(a)(2) disclosures shall be exchanged as follows:
  - Plaintiff's Rule 26(a)(2) disclosures shall be due within forty-five (45) days after the parties' expert witnesses are designated as set forth in Paragraph e.
  - Defendants' Rule 26(a)(2) disclosures shall be due within forty-five (45) days after Plaintiff's Rule 26(a)(2) disclosures are due.

- g. All expert witness depositions shall be completed on or before sixty (60) days from the date Rule 26(a)(2) disclosures shall be exchanged.
- h. Dispositive Motions (i.e. Fed. R. Civ. P. 56 Motions) shall be filed on or before sixty (60) days from the date expert witness depositions must be completed.

The parties reserve the right to seek an extension of any deadlines described above to the extent necessary upon their filing of any discovery motions they deem necessary to compel discovery responses by other parties.

4. **Trial by Magistrate Judge**

The parties do not consent to trial by Magistrate Judge.

5. **Rule 16.1(D) (3) Certifications**

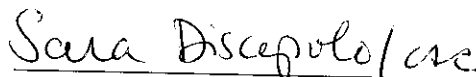
The parties are submitting separately their certifications regarding consultation on litigation budgets and alternative dispute resolution as required by Local Rule 16.1(D)(3).

ELIZABETH R. STEFFENBERG,  
By Her Attorneys,

DAVID M. SCOLL,  
By His Attorneys,



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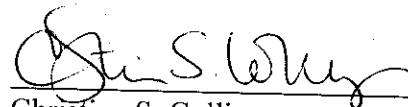
Dated: November 22, 2004

CERTIFICATE OF SERVICE

I, Christine S. Collins, hereby certify that I have this 20<sup>nd</sup> day of November, 2004 served the foregoing by facsimile and by mailing a copy thereof, first class mail, postage prepaid, to counsel of record.

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